

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

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FREDERICK F. FAGAL, JR.,	:	
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Plaintiff,	:	
	:	
v.	:	CIVIL ACTION NO. 3:14-cv-2404-UN3
	:	
MARYWOOD UNIVERSITY,	:	
	:	
Defendant.	:	
	:	

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**DECLARATION OF STEPHANIE J. PEET**

1. My name is Stephanie J. Peet. I am over the age of eighteen and am competent to make this Declaration. I give this Declaration voluntarily and the facts and statements contained herein are based upon my personal knowledge.
2. I am a counsel of record in this action for Marywood University.
3. Attached hereto as Exhibit 1 is a true and correct copy of the letter sent by Sister Anne Munley to Plaintiff Frederick Fagal on February 8, 2012, with all original enclosures, which is referenced in Paragraphs 37-48 of the Complaint.
4. Attached hereto as Exhibit 2 is a true and correct copy of Plaintiff's January 13, 2012 Email to Marywood faculty including links to his Youtube video depicting Marywood faculty as members of the Nazi regime and a list of those who received the email.

5. Attached hereto as Exhibit 3 is a true and correct copy of select stills of Plaintiff's Youtube video depicting Sister Munley as Hitler and likening Marywood faculty to the Nazi regime.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on February 20, 2015

Stephanie Peet  
Stephanie J. Peet

# **EXHIBIT 1**



# Marywood

UNIVERSITY

OFFICE OF THE PRESIDENT

MARYWOOD UNIVERSITY  
SCRANTON, PA 18509-1598  
TEL: (570) 348-6231  
FAX: (570) 340-6014  
ANNEMUNLEY@MARYWOOD.EDU  
www.marywood.edu

February 8, 2012

Dr. Frederick Fagal  
17 East Lake Street  
Skaneateles NY 13152

Sent via email ([ffffagal@yahoo.com](mailto:ffffagal@yahoo.com)), certified mail, regular mail

Re: Recommendation for Termination

Dear Dr. Fagal:

Pursuant to your attorney's request, the following is a revised statement of charges. As a result of your breach of a material term of your obligations as a tenured professor, I am recommending that your tenure and employment with Marywood be terminated immediately. The University will, however, pay you the remainder of your 2011-12 Agreement and keep you on benefits through August, 2012. This recommendation comes after much consideration of and reflection on your actions which I find to be highly offensive and directly contrary to Marywood's Mission and Values, your tenure agreement and your obligation as an employee of this University to conduct yourself in accordance with our policies and values.

As you know, our values include, among others:

- A commitment to spiritual, ethical and intellectual values in the context of a faith community.
- Respect for the value of each human being, for diversity in the context of vibrant community, and for the earth and all creation.

After reviewing the subtitles you authored and transposed onto a film depicting Adolf Hitler and the Nazi regime, I find that you deliberately and maliciously violated our principles and your commitment to this University by: 1) depicting Executive Officers and me in an offensive and hostile light, including making highly inappropriate comments about family members of these individuals; 2) using sexually explicit, offensive and insulting language; and 3) portraying an image of Marywood in a manner that was an affront to the University community as a whole. As a result, I am recommending that your tenure and employment be terminated and provide you the following Statement of Charges:

**1. Breach of Tenure Agreement**

Marywood's tenure policy provides in relevant part:

It implies a mutual commitment on the part of the faculty member and the University and cannot be taken lightly...Once tenure is granted, it will be discontinued only for grave reason, which may include moral turpitude, flagrant abuse of academic freedom, or professional incompetence...The commitment of a faculty member who requests tenure is as deep and binding on the faculty member as it is on the University. Just as

the conferring of tenure by the University recognizes the competence of an individual faculty member, submission to the University of an application for tenure suggests a strong acceptance by that individual of the mission, goals and objectives of the University. The request represents a commitment to work jointly with faculty, students, administrators and staff for the growth and welfare of the University.

(Emphasis added).

Your decision to author and disseminate the above described video is a breach of your commitment to Marywood and is in direct contravention of the letter and spirit of Marywood's Mission, Core Values and Objectives. To be clear, however, enclosed is a copy of Marywood's Mission, Core Values and Objectives. Depicting the University's President as Adolf Hitler, a man who is responsible for torturing and killing in excess of 6 million people simply because they are Jewish is an intentional, malicious and blatant violation of your tenure commitments. Portraying other University officials as Nazi leaders, using crude and vulgar language and belittling University officials also violates your agreement with Marywood. You gravely injured our community by your actions.

## **2. Violation of Civil Rights Policy**

Marywood's Civil Rights Policy provides in relevant part:

Marywood University does not condone and will not tolerate discrimination, harassment, or assault by any member of the Marywood community upon another individual, regardless of whether the action is based on race, sex, color, national or ethnic origin, age, creed, ancestry, religion, disability, or any other legally protected status.

In your video, not only do you attempt to make light of the Nazi regime, which evokes deep personal reminders of the extreme hate of members of the Jewish faith, but you also demean and belittle Dr. Levine and his family and launch other personal attacks on executive officers. Harassment of this type directly violates our Civil Rights Policy and will not be tolerated.

## **3. Violation of Marywood's Conditions of Computer Use Policy**

Marywood's Conditions of Computer Use policy provides in relevant part:

Users of Marywood University computing facilities and services are held to high ethical standards. These conditions of use are based on the "spiritual, ethical and religious values and a tradition of service" expressed in the Mission Statement of the University. They underscore responsible, ethical, legal, and secure use of the campus-wide information system, and they derive from standards of common sense and common decency that apply to any shared resource. Responsibility extends to access, use of information, and distribution of data.

Marywood University administrators, faculty members, staff, and students may use the computers in all public computing facilities for research work and classroom assignments...

Access to the Marywood computer system is not a right, but a privilege. When individuals log on to the University's computer system, they become responsible for adhering to University policy and state and federal laws governing individual privacy rights and confidentiality. The following list is not all-inclusive: [and includes the following:

- They honor the intellectual rights of others by avoiding copyright infringement. This includes all Marywood University-owned computers, i.e., computers purchased with University funds.
- They do not make or use unauthorized copies of copyrighted or licensed programs or data. They only use authorized copies in full accord with the license agreement and national and international laws.
- They respect the civil rights of others to an open and hospitable environment, regardless of race, sex, color, national or ethnic origin, age, creed, ancestry, religion, disability, or any other legally protected status, and with respect to sexual harassment including e-mailing inappropriate messages.

Clearly you used Marywood's system by emailing to members of its community the above described video using their Marywood email accounts. In doing so, it appears that you used violated copyright laws associated with the use of a copyrighted video, although you are free to prove to us that you obtained permission from the owners of that copyright to publish the video. Even if you did obtain the requisite permission, you failed to respect the civil rights of others by your conduct. I believe I have sufficiently described this conduct above.

4. **Violation of Academic Freedom Policy; Professional Ethics Policy and University's Mission and Values as well as the principles of collegiality.**

I have attached a copy of your 2011-12 Letter of Agreement and the above policies so that you have them. They can also be found on our website. As an initial matter, your video is not in furtherance of any scholarly pursuit and was clearly not intended to be part of an academic exercise. Nevertheless, even if it were, our policy provides that academic freedom "presupposes, first of all, personal integrity in dealing with students, peers and officers of the University. Second, it presumes scholarly competence, observance of the professional standards of one's discipline, commitment to the stated mission of the University..." As detailed above, your email and video is devoid of personal integrity, has no scholarly competence and is in total disregard of the stated mission of the University.

I hope you will take the time to read the Professional Ethics Policy. In it you will find that you had a "special responsibility," "obligations" to the Marywood community and the obligation to not discriminate or harass your colleagues. Once again, you violated these policies and instead chose to invoke images of hatred and to ridicule your colleagues. Further, as set forth in detail above, you violated Marywood's Mission and Values which are at the core of what this University and all for which this community stands.

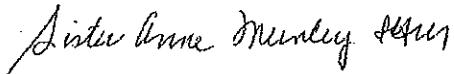
As a result of this recommendation, I am prepared to send this statement of charges to a duly appointed faculty committee for review along with the emails and videos you forwarded to members of our community. In order to do so and out of respect for your privacy, I would ask that you please sign and return to me the attached authorization granting the University permission to do so. That faculty

committee may agree or disagree with my recommendation. Once I receive the review committee's determination, I will finalize my decision. Should you choose to forego that faculty review, I will finalize my recommendation based upon my own findings and conclusions.

Please respond no later than Friday, February 17, 2012.

If you have any questions regarding this matter, you may direct them to me or to Dr. Dunleavy.

Very truly yours,



Sister Anne Munley, IHM  
President

Enclosures:

2011-12 Letter of Agreement

Tenure Policy

Civil Rights Policy

Conditions of Computer Use Policy

Academic Freedom Policy

Professional Ethics Policy

Marywood University Mission and Core Values

Release of Personal Information Authorization Form



**Marywood**  
UNIVERSITY

Tenured Faculty  
Letter of Agreement  
2011-2012 Academic Year

May 10, 2011

Dr. Frederick F. Fagel, Jr.  
17 East Lake Street  
Skaneateles, NY 13152

Dear Dr. Fagel, Jr.,

This Letter of Agreement is offered to you for the 2011-2012 Academic Year. In accord with the agreed upon Salary Plan, your salary reflects a 2.5% annual increase of \$1,858.00.

Other terms of this agreement are as follows:

Term:	8/22/2011 to 5/18/2012
Type of Appointment:	Full-Time (9 months). Tenure
Rank:	Associate Professor
College:	Liberal Arts & Sciences
Department:	Social Science
Responsible to:	Department Chairperson
Salary:	\$76,196.00

Faculty members must apply for benefits other than Social Security and Worker's Compensation through the Human Resources Department. Full-time faculty benefits include health, dental, long-term disability, group life, and accidental death and dismemberment under the Flexible Benefits Plan. Elections are made by June 1 of each year for the subsequent fiscal year beginning July 1. Retirement contributions by the University vary based on the contribution level selected by the faculty member. The appropriate government forms, including Form W-4 and I-9, must be completed and on file in the Human Resources Department.

This agreement is valid for one month from the date of this letter. The original copy of this Letter of Agreement must be signed and returned to my office by June 10, 2011. If you do not return the original signed copy by June 10, it will be assumed that you are not returning to Marywood. On behalf of the Board of Trustees and myself, I express our gratitude for your dedicated service and commitment to Marywood University. May God continue to bless you.

Sincerely,

*Anne Munley, Ph.D.*

Anne Munley, IHM, Ph.D.  
President

Agreed this 25 day of May, 2011

Signature Frederick F. Fagel, Jr.



## Policies and Procedures Manual: Tenure

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### Policy Statement

Tenure is a term designating permanent and continuous appointment for a full-time faculty member. It implies a mutual commitment on the part of the faculty member and the University and cannot be taken lightly.

Once tenure is granted, it will be discontinued only for grave reason, which may include moral turpitude, flagrant abuse of academic freedom, or professional incompetence. In addition, as expressed in its *Retrenchment of Faculty* policy, the University may be required to discontinue tenure because of severe financial exigencies or reorganization of the department and/or curriculum resulting in lack of need.

The commitment of a faculty member who requests tenure is as deep and binding on the faculty member as it is on the University. Just as the conferring of tenure by the University recognizes the competence of an individual faculty member, submission to the University of an application for tenure suggests a strong acceptance by that individual of the mission, goals and objectives of the University. The request represents a commitment to work jointly with faculty, students, administrators and staff for the growth and welfare of the University. It is a commitment to devote one's energies to continued personal development and continued high levels of achievement as a member of the Marywood academic community. It is an assertion of career goals; it is expected that a faculty member will not lightly withdraw from this relationship.

The probationary period shall not exceed seven years of full-time teaching/librarianship at Marywood, with application for tenure being made in the sixth year. Successful candidates receive a tenure contract for the seventh year; unsuccessful candidates receive a one-year terminal contract for the seventh year. Faculty members on leave during the probationary period must follow the University's policy on leaves. Interrupted service at Marywood University and also prior service at another regionally accredited, four-year college or university may be credited toward the fulfillment of the probationary period. Such credit will be determined by the Vice President for Academic Affairs.

Tenure occurs by action of the President of the University.

### Definitions

This revised *Tenure* policy is effective January 1, 2012. Faculty members whose date of hire as full time is before January 1, 2012, may choose the policy in effect prior to that date if they wish.

### Procedures

#### *Procedures for Tenure Consideration*

A candidate for tenure must submit a *Notification of Application for Tenure* form and submit relevant data and documentation in the sixth year of the probationary period, according to the deadline dates noted below. The candidate for tenure is encouraged to meet with the dean and chairperson during the summer prior to submission to discuss the application. The intent of this review is to afford the dean and chairperson the opportunity to offer the candidate informal guidance that will help the candidate to make the strongest case possible for tenure. The candidate is also encouraged to meet with the tenured members of the department one year before submission of the application to identify areas of strength and weakness in meeting the tenure criteria. In applying these tenure procedures for faculty librarians, the Director of Library Services acts in place of both dean and department head. If the candidate decides to withdraw the application, he/she must do so by October 17 or February 21.

(A faculty member who is hired to begin work at Marywood in the spring semester submits a tenure application in the spring of his/her sixth year. For the spring semester dates of submission of the application, refer to the procedures in the *Promotion of Faculty Members* policy.)

If a due date below falls on a weekend or a holiday, the due date becomes the next business day.

1. By September 1 or January 3, the faculty member initiates the process by submitting the *Notification of Application for Tenure* form to the Chair of the Rank and Tenure Committee. The Chair will be responsible for providing a list of candidates who are applying for tenure to the Vice President for Academic Affairs, the appropriate dean(s), and the head of the applicant's academic department.
2. By September 21 or January 21, the applicant submits paper copies of the *Application for Tenure* form, together with an up-to-date curriculum vitae and a narrative not to exceed an equivalent of 100 printed pages in 12-point font to the head of the applicant's department. (If the applicant is the department head, the senior member of the department functions as the department head during these procedures.) The candidate may submit supplementary materials in the form of appendices. The application must be structured based on how the tenure criteria section of the handbook is organized. The document must be numbered sequentially, include definitions of terms related to one's discipline, and carefully proofread. All annual evaluations of the candidate written by the appropriate dean and the department head must be included in the application materials. The Vice President's report to the candidate on the results of his/her 3 year pre-tenure review must be included.
3. The department head notifies the department's full-time, tenured and tenure-track faculty members that the application is available for their review. The Chair of the Rank and Tenure Committee notifies the tenured members of the applicant's department of their responsibility to complete the *Confidential Colleague Evaluation Form*. Each tenured faculty member is to submit the *Confidential Colleague Evaluation Form* to the Chair of the Rank and Tenure Committee by September 28 or January 28.

If a candidate for tenure is the chair of a department, the most senior tenured member of the department acts as chair during the tenure process. If no senior tenured faculty member is available, the Rank and Tenure Committee, in consultation with the appropriate dean and the candidate, chooses a senior tenured faculty member from another department to act as chair.

Once an untenured faculty member submits a pre-tenure file to the Rank and Tenure Committee, he/she completes by September 28 or January 28 the *Confidential Colleague Evaluation* form for tenure applications that originate in his/her department.

4. By October 7 or February 7, the department head submits to the dean of the appropriate college

all application materials and a recommendation letter that is based on a thorough review of the application documents. By this date, the department head also submits to the applicant a copy of the same recommendation letter.

5. By October 17 or February 21, the appropriate dean or the Director of Library Services reviews the evaluation of the department head when applicable and submits to the Chair of the Rank and Tenure Committee a recommendation letter and all application materials. The recommendation letter is to be based on a thorough review of the application materials.
6. The Rank and Tenure Committee evaluates the application and submits its recommendation, vote, and materials upon which the recommendation was based to the Vice President for Academic Affairs.
7. Having received all materials by November 21 or March 20, the Vice President for Academic Affairs evaluates the application with its accompanying documents, and submits a recommendation with the materials on which it is based to the President of the University. This includes the Rank and Tenure Committee's recommendation and vote, all other recommendations, and all application and evaluative documentation.
8. Having received the documents by January 10 or April 15, the President of the University reviews them and renders a final decision. The President or the Vice President for Academic Affairs informs the faculty member of the status of the application, including the recommendations of all reviewing bodies. In the case of a negative decision, the criteria not met are communicated to the applicant.

All materials submitted by the applicant will be returned at the conclusion of the process.

### *Criteria*

The candidate for tenure must:

1. have completed all formal educational requirements in the relevant academic field, judged necessary to meet the needs of the department and the University;
2. have achieved at least the rank of Associate Professor or, if currently an Assistant Professor, must apply for promotion to Associate Professor and Tenure at the same time and may do so with the submission of a single document using the tenure criteria;
3. have evidenced an expertise needed by one's department or a related department, which may include developing new courses and teaching a diversity of courses as needed, or in the case of faculty librarians by developing new library services and initiatives;
4. have demonstrated consistently effective teaching/librarianship ability as attested to by the evaluation procedures of the University;
5. have provided service to students extending beyond the teaching/librarianship function to student advisement and direction;
6. have evidenced accomplishment and promise in research, scholarship, publication, and/or creative achievement;
7. have evidenced membership and involvement in the activities of professional societies;
8. have demonstrated significant involvement in community service related to the mission, goals or core values of the University, and the University community's academic, cultural, administrative, and student affairs.

### *Procedures for Pre-Tenure Review*

A pre-tenure review system evaluates the first three years of each tenure-track faculty member's progress toward tenure.

The candidate submits pre-tenure review materials in the fall of his/her fourth year. The candidate must notify the Chair of the Rank and Tenure Committee by September 1 or January 3 of his/her intent to submit materials. The candidate must submit the materials to the appropriate department chairperson by September 10 or January 12. By September 20 or January 22 the department chair submits to the appropriate dean all pre-tenure materials and an evaluation letter based on a thorough review of the pre-tenure documents. By October 1 or February 1 the Dean submits all materials to the Chair of Rank and Tenure along with an evaluation letter based on a thorough review of all pre-tenure materials.

Pre-tenure review materials should be no more than 35 pages (12-point font). The document should be numbered sequentially, include definitions of terms related to one's discipline, be proofread carefully and contain no appendices.

The pre-tenure portfolio should include:

1. a description of the pre-tenure candidate's progress to date in fulfilling each of the criteria for tenure (organized according to the tenure criteria section above);
2. the dean's detailed evaluation, or in the case of library faculty, the Director of the Library's evaluation of the pre-tenure candidate's portfolio, which must include a summative statement of the pre-tenure candidate's progress toward tenure;
3. the department chairperson's detailed evaluation of the pre-tenure candidate's portfolio, which must include a summative statement of the pre-tenure candidate's progress toward tenure;
4. tables that compile the pre-tenure candidate's teaching evaluations, including department, college, and University teaching evaluation means;
5. a self-assessment of the pre-tenure candidate's scholarly/creative work (e.g., selectivity of venues, impact of articles, citations);
6. the pre-tenure candidate's reflection on his/her teaching/librarianship;
7. the pre-tenure candidate's reflection on his/her service;
8. the pre-tenure candidate's description of his/her scholarship/creative activity agenda/plan.

Pre-tenure faculty members must structure their annual self-evaluations based on guidelines for the tenure application portfolio as described in the *Tenure* policy.

Deans and chairs must organize their responses to pre-tenure faculty members' self-evaluations and pre-tenure portfolios based on how the tenure section of handbook is organized. These responses must take into account departmental standards for scholarship/creative activity.

Model pre-tenure files are available in the office of the Vice President for Academic Affairs for the pre-tenure candidate's review.

### ***Pre-Tenure Review Procedures***

If a due date below falls on a weekend or a holiday, the due date becomes the next business day.

1. By September 1 or January 3, the faculty member initiates the process by submitting the Notification of Submission of Pre-Tenure Materials form to the Chair of the Rank and Tenure Committee. The Chair will be responsible for providing a list of faculty members who are

submitting pre-tenure materials to the Vice President for Academic Affairs, the appropriate dean(s), and the head of the individual faculty member's academic department.

2. By September 10 or January 12, the faculty member submits to the department chairperson pre-tenure review materials of no more than 35 pages (12-point font). (If the applicant is the department head, the senior member of the department functions as the department head during these procedures.) The submitted materials must be structured based on how the tenure criteria section of the handbook is organized. The document must be numbered sequentially, include definitions of terms related to one's discipline, and carefully proofread. All annual evaluations of the candidate written by the appropriate dean and the department head must be included as part of the 35-page application.
3. By September 20 or January 22, the department head submits to the dean of the appropriate college all pre-tenure materials and an evaluation letter that is based on a thorough review of the pre-tenure documents.
4. By October 1 or February 1, the appropriate dean or the Director of Library Services reviews the evaluation of the department head when applicable and submits to the Chair of the Rank and Tenure Committee an evaluation letter and all pre-tenure materials. The evaluation letter is to be based on a thorough review of the pre-tenure materials.
5. The Rank and Tenure Committee evaluates the pre-tenure materials and submits its evaluation and the materials upon which the evaluation was based to the Vice President for Academic Affairs.
6. Having received all materials by October 21 or February 21, the Vice President for Academic Affairs evaluates the pre-tenure materials and accompanying documents.
7. By November 15 or March 15, the Vice President for Academic Affairs responds to the faculty member with an evaluation letter that is based on a thorough review of the pre-tenure material.

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## Related Policies

- Promotion of Faculty Members
- Evaluation of Faculty Members
- Contractual Agreements with Faculty Members

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## History

07/01/89 - Reaffirmed with publication of Faculty Manual

04/16/99 - Sentence re degrees from various institutions moved to *Qualifications for Appointment to Rank* policy as recommended by the Policy Committee of the University

03/22/00 - Reference to retirement age deleted at Executive Committee meeting of the Policy Committee of the University

07/01/03 - Editorial changes made to reflect academic restructuring

04/20/04 - Revision approved by the President of the University as recommended by the Policy Committee of the University to include faculty librarians

12/02/05 - Revision approved by the President of the University as recommended by the Policy Committee of the University

01/19/08 - Amended to reflect that decisions on rank and tenure are made by the President of the University

05/02/08 and 5/05/08 - Revision approved by the President of the University as recommended by the Policy Committee of the University

06/24/09 - Revision approved by the President of the University as recommended by the Executive Committee of the Policy Committee of the University.

09/09/09 - Change in Procedure No. 4 recommended by the Provost and Vice President for Academic Affairs and approved.

05/04/10 - Revision approved by the President of the University as recommended by the Executive Committee of the Policy Committee of the University. 12/09/11 - Revision approved by the President of the University as recommended by the Policy Committee of the University.

12/09/11 - Revision approved by the President of the University as recommended by the Policy Committee of the University.

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Mary T. Gardier Paterson, Esquire | Secretary of the University | [mtgpaterson@marywood.edu](mailto:mtgpaterson@marywood.edu)

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2300 Adams Avenue, Scranton, PA 18509  
570-348-6211 | toll free: 1-TO-MARYWOOD

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Comments to Marywood University Web Development Office: [webber@marywood.edu](mailto:webber@marywood.edu)



## Policies and Procedures Manual: Civil Rights Policy

### Policy Statement

Marywood University declares and reaffirms a policy of equal educational and employment opportunity and non-discrimination in the provision of educational and other services to the public. Marywood University does not condone and will not tolerate discrimination, harassment, or assault by any member of the Marywood community upon another individual, regardless of whether the action is based on race, sex, color, national or ethnic origin, age, creed, ancestry, religion, disability, or any other legally protected status. Marywood University will make reasonable accommodations to known physical or mental limitations of otherwise qualified individuals with disabilities unless doing so would impose an undue hardship on the University. Any person who believes he or she may require such accommodation should contact the Assistant Vice President for Human Resources and Affirmative Action Officer.

Marywood University is committed to take all necessary steps to comply with any obligations it may have under Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, and Title IX of the Civil Rights Act of 1964, as amended. These are explicit civil and legal applications of the formulation of beliefs already cherished in Marywood's religious commitment, objectives, and practices.

### Definitions

#### *Sexual Harassment*

Marywood University adopts the following definition of sexual harassment based on the statement endorsed by the American Association of University Professors, revised June 1995, and considers it applicable to the entire Marywood community:

Sexual advances, requests for sexual favors, and other conduct of a sexual nature constitute sexual harassment when:

1. such advances or requests are made under circumstances implying that one's response might affect academic or personnel decisions that are subject to the influence of the person making the proposal; or
2. such speech or conduct is directed against another and is either abusive or severely humiliating and/or persists despite objection of the person targeted by the speech or conduct; or
3. such speech or conduct is reasonably regarded as offensive and substantially impairs the academic or work opportunity of students, colleagues, or co-workers. If it takes place in the teaching context, it must also be severe, pervasive, and not germane to the subject matter. The academic setting is distinct from the workplace in that wide latitude is required for professional judgment in determining the appropriate content and presentation of academic material.

### ***Sexual Assault***

Sexual assault is defined as threats of, or deliberate physical contact of a sexual nature that is against another person's will or without consent. Examples of such behavior include, but are not limited to the following:

1. deliberate physical contact of a lewd type, including brushing, touching, grabbing, pinching, patting, hugging and kissing;
2. deliberate or reckless threats, actual or implied, of physical contact of a sexual nature that results in reasonable fear of sexual assault or physical harm;
3. coerced sexual activities, including rape. Rape, the most severe type of sexual assault, is legally defined in Pennsylvania as sexual intercourse that is coerced through force or threats of force, or with someone who is unconscious or with someone who is so mentally deranged or deficient as to be incapable of consent.

### **Procedures**

In furtherance of Marywood University's commitment to its duties and obligations, regular training on harassment, discrimination and related topics is provided for managers and supervisors in the Marywood community.

A list of Marywood University and community resources is available at the Human Resources Office.

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### **History**

11/03/97 - Reaffirmed by Board of Trustees and Members of the Corporation

04/15/00 - Revision approved by the Board of Trustees

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Mary T. Gardier Paterson, Esquire | Secretary of the University | [mtgpaterson@marywood.edu](mailto:mtgpaterson@marywood.edu)

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570-348-6211 | toll free: 1-TO-MARYWOOD

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## Policies and Procedures Manual: Conditions of Computer Use



### Policy Statement

Users of Marywood University computing facilities and services are held to high ethical standards. These conditions of use are based on the "spiritual, ethical and religious values and a tradition of service" expressed in the Mission Statement of the University. They underscore responsible, ethical, legal, and secure use of the campus-wide information system, and they derive from standards of common sense and common decency that apply to any shared resource. Responsibility extends to access, use of information, and distribution of data.

Marywood University administrators, faculty members, staff, and students may use the computers in all public computing facilities for research work and classroom assignments. Within the limitations of lab scheduling, students have priority over others for use of the facilities. Anyone who is not a currently enrolled student or employee may use the public facilities only at the discretion of University staff. Marywood University does not assume any liability for data loss. Those who use its computers do so at their own risk. Use of administrative computers is authorized with the permission of the appropriate department head.

Access to the Marywood computer system is not a right, but a privilege. When individuals log on to the University's computer system, they become responsible for adhering to University policy and state and federal laws governing individual privacy rights and confidentiality. The following list is not all-inclusive:

1. They respect the privacy of others by not attempting to access their accounts or tampering with their data.
2. They honor the intellectual rights of others by avoiding copyright infringement. This includes all Marywood University-owned computers, i.e., computers purchased with University funds.
3. They respect the policies and procedures of external networks, such as the Internet and systems that can be accessed via the Internet.
4. They do not make or use unauthorized copies of copyrighted or licensed programs or data. They only use authorized copies in full accord with the license agreement and national and international laws.
5. They do not attempt to bypass any security system in order to access privileged information or alter existing interfaces.
6. They do not develop or use programs, transactions, data, or processes that harass other users, infiltrate the system, or damage or alter data or software.
7. They do not develop or use mechanisms to alter University records.

8. They do not load or use personal or existing programs that affect the stability of systems, or use programs in an attempt to hinder or harass others.
9. They do not load software in classroom or computer labs, drop-in facilities, or other University-owned computers.
10. They use only their own User ID and password; rights to individual accounts are not transferable. All members of the University community are responsible for securing their passwords. All passwords are to be treated as confidential University information.
11. They respect the civil rights of others to an open and hospitable environment, regardless of race, sex, color, national or ethnic origin, age, creed, ancestry, religion, disability, or any other legally protected status, and with respect to sexual harassment including e-mailing inappropriate messages.
12. They do not use University owned or operated computers for a personal business.
13. They do not open or download pornographic materials or other materials that violate the Mission Statement of the University.
14. They use resources efficiently, avoiding printing large amounts of unnecessary information or downloading files for long periods of time.
15. They do not damage or alter equipment or software either physically or with a virus. They do not bring food or drink into computer labs, drop-in areas, near computers or computer-related equipment.
16. They abide by an instructor's requirements for computer use, including participation in an on-line course or in a listserv. They honor an instructor's right to allow or disallow use of a computer while the room is in use for instructional purposes. They do not disrupt a class that is being held in a computer lab or other technologically oriented facility, such as broadcast studio or video conferencing room.

Marywood University reserves the right to monitor and record any action performed while using the computer system. An audit trail is kept by system management software. If it is determined that use is contrary to Marywood policy, the appropriate department may examine the user's actions. If computing staff members suspect that any of these conditions are being violated, staff will initiate an investigation through the appropriate agency on campus. During the investigation, the account in question and all computing services may be suspended.

Privacy is neither a goal nor a condition of the University's computing system. There is not an expectation of privacy with regard to the information stored on University-owned or operated computers or, when applicable, other computers attached to the Marywood University network; and there are no specific laws, rules, or regulations that protect the privacy of a user's files, electronic mail messages, or any other information retrieved as a result of a person's session on the Marywood system.

While Marywood University respects an individual's privacy whenever possible, it does have and will exercise its right to examine a University-owned or operated computer and its contents if there is a reasonable indication that it has been used to download or store illegal materials, such as pornography or illegal software.

Marywood University reserves the right to report suspected criminal offenses to civil authorities. Institutional disciplinary charges may be filed in addition to civil actions.

These conditions of use have been established for the protection of all users but provide neither absolute security nor unqualified privacy.

## Definitions

**System** is used in a generic sense to refer to the aggregate of all hardware and software owned or licensed by Marywood University, including the network.

As a general matter, **copyright** infringement occurs when a copyrighted work is reproduced, distributed, performed, publicly displayed, or made into a derivative work without the permission of the copyright owner.

## Procedures

Contact the Office of Information Technology with questions about

- computer network support of instructional, research, and service activities;
- computer network support of administrative activities;
- voice and data network design and maintenance, desk-top computer repairs and installations.

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## Related Policies

- Website Policy
- University Website Policy

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## Related Committees

Technology Advisory Committee

Academic Computing Advisory Committee

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## History

01/10/97 - Recommended to the President by the College Committee on Policy

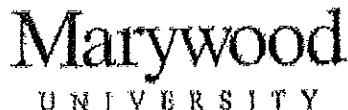
02/06/97 - Approved by the President of the University with publication of The President's Memo

04/17/04 - Revision approved by the President of the University as recommended by the Policy Committee of the University

02/20/09 - Procedures changed in order to direct all questions to the Office of Information Technology

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Mary T. Gardier Paterson, Esquire | Secretary of the University | [mtgpatterson@marywood.edu](mailto:mtgpatterson@marywood.edu)



## Policies and Procedures Manual: Academic Freedom



### Policy Statement

Marywood University affirms its commitment to academic freedom. In so doing, it reaffirms its commitment to the tradition of higher learning that is the heritage of both the Roman Catholic Church and the nation. It is a tradition grounded on respect for truth, social responsibility and individual rights. It is a tradition that posits freedom of inquiry, open discussion and unrestricted exchange of ideas as essential to the pursuit of knowledge.

Marywood University upholds academic freedom as a fundamental condition for research and dissemination of information. The University is a center of discourse where inquiry is encouraged and discoveries are verified and refined by the interaction of scholar with scholar. Marywood University respects the right and responsibility of its faculty and students to conduct research, to publish their findings, and to discuss ideas according to the principles, sources and methods of their academic disciplines. These principles, sources and methods, as they develop over time, are not external to their respective disciplines. The University sanctions and encourages investigation of unexplored phenomena, advancement of knowledge, and critical examination of ideas, old and new. The University accepts the responsibility of protecting both teacher and student from being forced to deny truth that has been discovered or to assert claims that have not been established in the discipline. Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching material matter that has no relation to their subject.

Where the faculty is concerned, academic freedom presupposes, first of all, personal integrity in dealing with students, peers and officers of the University. Second, it presumes scholarly competence, observance of the professional standards of one's discipline, commitment to the stated mission of the University, and openness to having one's ideas and findings subjected to the judgment of one's peers. Third, faculty members have a responsibility as professional scholars to be accurate and judicious in their public statements, and respectful of the opinions and responsibilities of others.

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### Related Policies

- Professional Ethics
- Evaluation of Faculty Members
- Faculty Status

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### Related Committees

## Institutional Review Board for the Protection of Human Participants

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### History

12/01/79 - Reaffirmed with publication of *Faculty Manual*

07/01/93 - Introduction and postscript added

07/01/03 - "Human Subejcts" changed to "Human Participants"

02/19/10 - Revision approved by the President of the University as recommended by the Policy Committee of the University

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Mary T. Gardier Paterson, Esquire | Secretary of the University | [mtgpaterson@marywood.edu](mailto:mtgpaterson@marywood.edu)

2300 Adams Avenue, Scranton, PA 18509

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## Policies and Procedures Manual: Professional Ethics

### Policy Statement

The American Association of University Professors recognizes that membership in the academic profession carries with it special responsibility. The Statement on Professional Ethics that follows sets forth general standards assumed by members of the profession.

Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end, professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.

As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to assure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.

As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas, professors show due respect for the opinions of others. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.

As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.

As members of their community, professors have the rights and obligations of other citizens.

Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

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## Related Policies

- Teaching Responsibility
- Librarianship Responsibility
- Faculty Status

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## History

07/01/89 - Reaffirmed with publication of Faculty Manual

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Mary T. Gardier Paterson, Esquire | Secretary of the University | [mtgpatterson@marywood.edu](mailto:mtgpatterson@marywood.edu)

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## **President's Page: Marywood University Mission & Core Values**

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### **Mission Statement**

A Catholic university sponsored by the Congregation of the Sisters, Servants of the Immaculate Heart of Mary, Marywood University roots itself in the principle of justice and a belief that education empowers people. Enacting its ideals, Marywood offers students a welcoming and supportive community that encourages men and women of all backgrounds to shape their lives as leaders in service to others. Proud of its liberal arts tradition and host of professional disciplines, Marywood challenges students to broaden their understanding of global issues and to make decisions based on spiritual, ethical, and religious values. Marywood calls upon students to seek their full potential and invites all to engage in a lifelong process of learning. Witnessing the efficacy of teaching and scholarship, Marywood educates students to live responsibly in a diverse and interdependent world.

### **Core Values**

#### **Catholic Identity**

A commitment to spiritual, ethical and intellectual values in the context of a faith community.

#### **Respect for Each Person**

Respect for the value of each human being, for diversity in the context of vibrant community, and for the earth and all creation.

#### **Empowerment**

Education to enable access and to empower the underserved to take a full role in the life of the broader society.

#### **Service**

Rooted in the deep belief that learning and scholarship serve the global community is the belief in the value of the diverse types of work that support that service, and the preparation of students for leadership by participation in service.

#### **Commitment to Excellence**

The belief that the work of education has the capacity to forward the kingdom of God, in broad and varied ways, leads us to care passionately for the quality of the mission of Marywood.



## **President's Page: Marywood University's Goals & Objectives**

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### **Provide a values based context for university experiences.**

- A majority of students will participate in service opportunities in an on-going way.
- Students will demonstrate an understanding of the ethical dimensions of their fields of study.
- A majority of students will participate in spiritual development activities.
- Employees will demonstrate core values in the work place.

### **Foster an awareness and appreciation of the pluralistic nature of contemporary society.**

- Graduates will choose to study or work in multicultural settings either at home or abroad.
- Students will demonstrate a deeper appreciation for cultural diversity and an understanding of global issues.
- Enrolled students will travel abroad during their college years.
- Employee groups and governing bodies will reflect the pluralistic nature of contemporary society.

### **Provide a supportive and welcoming environment to a diverse academic community.**

- Students enrolled in any program will fulfill their academic goals by successfully completing their degree work.
- An increasing number of racially and culturally diverse students and employees will choose Marywood as a welcoming community.
- Students from a cross-section of socio-economic groups will enroll in each incoming class.
- Campus constituencies will express satisfaction with all campus services.

### **Prepare people for socially responsible leadership roles.**

- Students will participate in an internship or practicum experience.
- Students will demonstrate a significant level of co-curricular activities.
- Students will experience positive interactions with faculty members outside of class.
- Employees will serve as role models of socially responsible leaders.

**Provide a challenging instructional program.**

- Students will demonstrate achievement of cognitive skills at a level comparable to peers on standardized tests.
- Students will demonstrate the ability to think critically by engaging in research activities and by developing problem solving strategies.
- Students will demonstrate the ability to integrate the liberal arts tradition with their professional specializations.
- Students will demonstrate competence in both information literacy skills and communications skills.
- Faculty will provide evidence of ongoing scholarly activity.

**Inspire a sense of personal responsibility for responding to social justice issues.**

- Faculty, staff, and students will participate in projects designed to address social inequities.
- Students will demonstrate knowledge of both national and international social justice issues.
- Faculty, students, and staff will serve as advocates for justice in their personal and professional lives.

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President's Office | Fran Ferrese, Executive Secretary | (570) 348-6231 | [ferrese@marywood.edu](mailto:ferrese@marywood.edu)

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Release of Personal Information

*Please check one box below; sign, date, and return by February 3, 2012*

I DO NOT grant permission for Marywood University to release Sister Anne Munley's Recommendation for Termination and Statement of Charges dated 1/24/12 to a faculty review committee comprised of tenured faculty. I understand that by refusing such permission that there will be no faculty committee review of Sister Anne Munley's decision to terminate my tenure and employment with the University prior to it being finalized.

OR

I DO grant permission for Marywood University to release Sister Anne Munley's Recommendation for Termination and Statement of Charges dated 1/24/12 to a review committee comprised of tenured faculty.

This authorization is valid until rescinded by me in writing.

---

Frederick F. Fagal, Jr.

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Date

# **EXHIBIT 2**

**Date:** Fri, 13 Jan 2012 11:37:01 -0800 (PST)  
**From:** Frederick Fagal <fffagaf@yahoo.com>  
**To:** "fffagaf@yahoo.com" <fffagaf@yahoo.com>  
**Subject:** Marywood Administration Tears Down Approved Free Speech Posters  
**Attachments:** [Synopsis Free Speech Poster tear-down Marywood 2011.pdf](#)  
[Free Speech Marywood Poster Tear-Down Email Exchange sent to FIRE.pdf](#)  
[Letter to Alan Levine Dec 2 2011 re compensation for poster tear down.pdf](#)  
[Levine responds to Fagal requests 2011 12-15.pdf](#)

Dear Marywood University Faculty Colleague , January 13, 2012  
 We deserve better. Our students deserve better. In November 2011 I spent my own money to get a speaker from the Foundation for Individual Rights in Education (FIRE) to give a presentation to an Introduction to Social Science class on November 30, 2011. The topic was "Know Your Rights: Free Speech and Thought Reform on Campus," and the speech tied into our study of the United States Constitution. I also spent my own money to pay for posters advertising the speech in Comerford Auditorium which was to be announced as open to all. Total cost to me about \$500. Given my previous run-ins with the administration,  
<http://www.marywoodfreespeech.com/History%20Page/Fagal%20History/adminVSfagal.htm>  
 just to be safe (ha), I had my posters stamped with the Student Life poster approval stamp. The Marywood Administration, without telling me, then decided to tear down the posters. No, I am not kidding.... laughable yet sad.  
 This letter ends with a fuller but still brief summary abstract of what occurred. I hope you read the attachments which tell the complete story. For fun and insight as to "how it all went down" you must view the Hitler Parody *satire* videos on YouTube (see later below for links).  
 Based on the evidence, I expect most of you (if only in private), will agree the Marywood administration (real people here...not an abstraction) exhibited egregious, despicable, contemptible behavior. This poisonous and *considered!* behavior reflects badly on everyone associated with Marywood. I am ashamed for the institution and hope it mends its ways. At this point I think publicity is the only tool which might affect the Administration and inspire "hope and change" J on this campus. Perhaps the Board of Trustees could at least discuss this type of behavior behind closed doors or in private emails and conversations. One can hope..., may pray..... Attached to this email are four items which I hope some (many?) of you read (#2 similar to #1 but even more complete):  
 A rather complete *synopsis of the events* surrounding the tearing down (circa Nov 29, 2011) of my "approved" posters announcing a speech about free speech (irony anyone?)

A complete record of what I sent to the Foundation for Individual Rights in Education (FIRE) to document how the situation unfolded. Learn about FIRE here: <http://thefire.org/about/mission/>. This big document includes (3.) below, my letter to Levine (and President Munley by agreed-to forwarding)

A copy of my (at first on paper) December 5, 2011 letter to VP Alan Levine. In that letter and in the December 5 meeting with Alan Levine I proposed a resolution of the "free speech poster tear down" controversy. Mr. Levine asked me for an electronic copy (which I sent) and he said he would forward it to President Anne Munley. In any negotiation list of requests (demands?) such as I submitted there is obviously a possibility for a meeting of the minds and compromise – e.g. perhaps I would give up my demand for pizza for students (heh) or a public apology or one of the requested FIRE visits. A copy of the December 15, 2011 letter to me from Alan Levine [VP for Academic Affairs] which responds to my letter of December 5, 2011. In the response letter Mr. Levine, speaking for the administration (i.e. President Anne Munley), writes "...we are not willing to undertake any (*emphasis added-fff*) of the specific requests that are contained in your letter."

Perhaps you have heard of Hitler Parody videos. From Wikipedia regarding the movie *Downfall*, [http://en.wikipedia.org/wiki/Downfall\\_%28film%29](http://en.wikipedia.org/wiki/Downfall_%28film%29) the film about Adolph Hitler's last days, which provided selected snippets so I could create the Marywood free speech poster tear-down parodies:

"In October 2010, YouTube stopped blocking any *Downfall*-derived parodies,<sup>[18]</sup> and is now placing advertisements on some of them. Corynne McSherry, an attorney specializing in intellectual property and free speech issues<sup>[19]</sup> for the Electronic Frontier Foundation, stated, "All the [*Downfall* parody videos] that I've seen are very strong fair use cases and so they're not infringing, and they shouldn't be taken down."<sup>[20]</sup>"

I made two short satire videos, Part 1 deals with the events of November 28, Part 2 deals with the events of November 30. Comments from (pre-release) viewers:  
 "Brilliant!" .... "Love these!" .... "SO funny"..."It's definitely funny and I think it will appeal to students and faculty alike." ... "IT DOES HAVE ITS MOMENTS, ESP THE SCRATCHING PART!" ... "It was nice knowing you, Fred." ..."I think you will get a positive response from your video...too funny to not."..."OMG! Funny as hell. Pretty powerful stuff. Keep fighting the good fight." .... "The videos were definitely very amusing and certainly got the point across" ... "Wow Fred.... Great job on the video.... what a brilliant way to get your point across!!!! I hope it helps open their eyes!!!! very creative and well done!!!!"

On YouTube just search for Hitler parody Marywood, I imagine it will show up...

**LINK to VIDEO #1** <http://www.youtube.com/watch?v=1naxKnNc06o&>

feature=youtu.be

**LINK to VIDEO #2**

<http://www.youtube.com/watch?v=4hzyy5sTqUw&context=C3c1bc55ADOEgsToPDskIZsi1t3K7AqILR-ci2V9HK>

I can send anyone low definition versions of the videos suitable (each is under 20 MB) for email attachments. Just ask...

A few colleagues concerned for my welfare have told me they fear the administration will try to fire me over this. One colleague says perhaps I should have asked for an appointment with President Munley and made a final appeal – i.e. I should have pursued every last ditch channel possible. I did not want to go into such a meeting and in essence have as the only new point to raise a “blackmail” threat to go public as I do here and in the videos. I did not want that. If the risk to me is there it is there; and if the worst does come to pass I will have to battle as best I can with the support of family and friends and colleagues and perhaps concerned outsiders.

I will of course be pleased to hear from any of you – from the grizzled veteran to the first-year hire. BEWARE – according to page 86 of the Faculty Handbook “...there are no specific laws, rules, or regulations that protect the privacy of a user’s files, electronic mail messages, or any other information retrieved as a result of a person’s session on the Marywood system.”

Thus, if you *email* me and want to protect yourself, you might best *use a backup email address such as your old youthful one* coolcat@hotmail.com and send it from anywhere but Marywood. Also, if you are my friend, or will soon be, you need not say hello to me in public (heh). My home phone is 315-685-0429. Even a regular mail anonymous “good luck” note sent to me at home (address below) would be very appreciated...

Abstract: On November 28-29 2011 Marywood University tore down “stamped approved” posters announcing an open to all presentation by Will Creeley of FIRE (Foundation for Individual Rights in Education) titled “Know Your Rights: Free Speech and Thought Reform on Campus.” On December 5 Alan Levine, VP for Academic Affairs, told me there were no written policy statements which justified Marywood’s action, but that my offer of a \$50 random prize to a student for attending was, in the eyes of the administration’s Executive Council which met on November 29, “pandering” to students to get them to come to class, and that this justified tearing down the posters (without even the mere common courtesy of notifying me about the supposed problem). Even if a problem did exist a magic marker could have solved it, poster tear-downs were not necessary. Later that day (Dec. 5) I sent Mr. Levine two emails, one showing that Professor N. Gregory Mankiw of Harvard (former Chairman of the President’s Council of Economic Advisers, author of today’s largest selling economics textbook) recently pandered to his students by inviting ten select quick email responders (first come, first served) to join him as his guest for lunch after class at a Chinese restaurant in Harvard Square. *I suggested that Marywood University warn Harvard that it has a panderer in its midst!* Finally, also on December 5, I forwarded to Mr. Levine an email from spring 2011 wherein the Marywood Administration encouraged professors to send students to a speech about sexual assault. Raffle prizes galore, including food and TWO \$50 VISA cards. Quotation from the email “We hope faculty will offer students extra credit for attending, or *use some of your class time to attend the event with your students* [emphasis added].” Laughable! Talk about “pandering!” It is transparently obvious Marywood University is discriminating against Professor Fagel... Your Honor, I rest my case. Full details below.

By Frederick F. Fagel, Jr. (Ph.D.) Associate Professor of Economics, Marywood University, Scranton, PA  
Thank you for reading....

Sincerely,  
Fred Fagel  
(Frederick F. Fagel, Jr. Associate Professor of Economics)...at Marywood 1987 –  
Home address:  
Fred Fagel  
17 East Lake Street  
Skaneateles, NY 13152

<a href="#">Discovery</a>   <a href="#">Retention</a>   <a href="#">Reports</a>   <a href="#">Admin</a>				<a href="#">Admin Console</a>   <a href="#">Log Out</a>   <a href="#">Help</a>   <a href="#">?</a>
<a href="#">Investigations</a>   <a href="#">Revlse. Search</a>   <a href="#">My Investigation Email Search</a>				<a href="#">Entire Archive</a>
<a href="#">SEARCH</a>   <a href="#">Email Search</a>   <a href="#">Boolean Search</a>				<a href="#">Show 50 per page</a>
<a href="#">ACTIVITY</a>   <a href="#">User Holds</a>				<a href="#">1-44 of 44</a>
<a href="#">Search Results</a>   <a href="#">Search Criteria</a>   <a href="#">Exported Messages</a>				<a href="#"> &lt;</a> <a href="#"> &gt;</a> <a href="#"> &lt;&lt;</a> <a href="#"> &gt;&gt;</a>
<a href="#">Powered by PostInn!</a>				
<div style="border: 1px solid black; padding: 10px;"> <p>From: Frederick Fagal &lt;fffagai@yahoo.com&gt;</p> <p>To: krlich@marywood.edu, "fffagai@yahoo.com" &lt;fffagai@yahoo.com&gt;</p> <p>Date: Fri, Jan 13, 2012 11:38 AM</p> <p>Subject: <u>Marywood Administration Tears Down Approved Free Speech Posters</u></p> <p>Body: Dear Marywood University Faculty Colleague</p> <p>,,#####</p> <p>From: Frederick Fagal &lt;fffagai@yahoo.com&gt;</p> <p>To: ktanaka@marywood.edu, "fffagai@yahoo.com" &lt;fffagai@yahoo.com&gt;</p> <p>Date: Fri, Jan 13, 2012 11:37 AM</p> <p>Subject: <u>Marywood Administration Tears Down Approved Free Speech Posters</u></p> <p>Body: Dear Marywood University Faculty Colleague</p> <p>,,#####</p> <p>From: Frederick Fagal &lt;fffagai@yahoo.com&gt;</p> <p>To: russell@marywood.edu, "fffagai@yahoo.com" &lt;fffagai@yahoo.com&gt;</p> <p>Date: Fri, Jan 13, 2012 11:37 AM</p> <p>Subject: <u>Marywood Administration Tears Down Approved Free Speech Posters</u></p> <p>Body: Dear Marywood University Faculty Colleague</p> <p>,,#####</p> <p>From: Frederick Fagal &lt;fffagai@yahoo.com&gt;</p> <p>To: zavorsky@marywood.edu, "fffagai@yahoo.com" &lt;fffagai@yahoo.com&gt;</p> <p>Date: Fri, Jan 13, 2012 11:37 AM</p> <p>Subject: <u>Marywood Administration Tears Down Approved Free Speech Posters</u></p> <p>Body: Dear Marywood University Faculty Colleague</p> <p>,,#####</p> <p>From: Frederick Fagal &lt;fffagai@yahoo.com&gt;</p> <p>To: povse@marywood.edu, "fffagai@yahoo.com" &lt;fffagai@yahoo.com&gt;</p> <p>Date: Fri, Jan 13, 2012 11:37 AM</p> <p>Subject: <u>Marywood Administration Tears Down Approved Free Speech Posters</u></p> <p>Body: Dear Marywood University Faculty Colleague</p> <p>,,#####</p> <p>From: Frederick Fagal &lt;fffagai@yahoo.com&gt;</p> <p>To: bjplatak@marywood.edu, "fffagai@yahoo.com" &lt;fffagai@yahoo.com&gt;</p> <p>Date: Fri, Jan 13, 2012 11:37 AM</p> <p>Subject: <u>Marywood Administration Tears Down Approved Free Speech Posters</u></p> <p>Body: Dear Marywood University Faculty Colleague</p> <p>,,#####</p> <p>From: Frederick Fagal &lt;fffagai@yahoo.com&gt;</p> <p>To: jsmoliga@marywood.edu, "fffagai@yahoo.com" &lt;fffagai@yahoo.com&gt;</p> <p>Date: Fri, Jan 13, 2012 11:37 AM</p> <p>Subject: <u>Marywood Administration Tears Down Approved Free Speech Posters</u></p> <p>Body: Dear Marywood University Faculty Colleague</p> <p>,,#####</p> <p>From: Frederick Fagal &lt;fffagai@yahoo.com&gt;</p> <p>To: dromines@marywood.edu, "fffagai@yahoo.com" &lt;fffagai@yahoo.com&gt;</p> <p>Date: Fri, Jan 13, 2012 11:37 AM</p> <p>Subject: <u>Marywood Administration Tears Down Approved Free Speech Posters</u></p> <p>Body: Dear Marywood University Faculty Colleague</p> <p>,,#####</p> <p>From: Frederick Fagal &lt;fffagai@yahoo.com&gt;</p> <p>To: Select All   Select None</p> </div>				

From: Frederick Fagel <ffffagel@yahoo.com>  
To: reyes@marywood.edu, "ffffagel@yahoo.com" <ffffagel@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
Subject: Marywood Administration Tears Down Approved Free Speech Posters  
Body: Dear Marywood University Faculty Colleague ,ooooooooooooo.....

From: Frederick Fagel <ffffagel@yahoo.com>  
To: kclauss@maryu.marywood.edu, "ffffagel@yahoo.com" <ffffagel@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
Subject: Marywood Administration Tears Down Approved Free Speech Posters  
Body: Dear Marywood University Faculty Colleague ,ooooooooooooo.....

From: Frederick Fagel <ffffagel@yahoo.com>  
To: sgarrison@marywood.edu, "ffffagel@yahoo.com" <ffffagel@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
Subject: Marywood Administration Tears Down Approved Free Speech Posters  
Body: Dear Marywood University Faculty Colleague ,ooooooooooooo.....

From: Frederick Fagel <ffffagel@yahoo.com>  
To: parsons@marywood.edu, "ffffagel@yahoo.com" <ffffagel@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
Subject: Marywood Administration Tears Down Approved Free Speech Posters  
Body: Dear Marywood University Faculty Colleague ,ooooooooooooo.....

From: Frederick Fagel <ffffagel@yahoo.com>  
To: csfryer@marywood.edu, "ffffagel@yahoo.com" <ffffagel@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
Subject: Marywood Administration Tears Down Approved Free Speech Posters  
Body: Dear Marywood University Faculty Colleague ,ooooooooooooo.....

From: Frederick Fagel <ffffagel@yahoo.com>  
To: llwotanis@marywood.edu, "ffffagel@yahoo.com" <ffffagel@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
Subject: Marywood Administration Tears Down Approved Free Speech Posters  
Body: Dear Marywood University Faculty Colleague ,ooooooooooooo.....

From: Frederick Fagel <ffffagel@yahoo.com>  
To: wreyes@maryu.marywood.edu, "ffffagel@yahoo.com" <ffffagel@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
Subject: Marywood Administration Tears Down Approved Free Speech Posters  
Body: Dear Marywood University Faculty Colleague ,ooooooooooooo.....

From: Frederick Fagel <ffffagel@yahoo.com>  
To: salvaterra@marywood.edu, "ffffagel@yahoo.com" <ffffagel@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
Subject: Marywood Administration Tears Down Approved Free Speech Posters  
Body: Dear Marywood University Faculty Colleague ,ooooooooooooo.....

From: Frederick Fagel <ffffagel@yahoo.com>  
To: sophiehill@marywood.edu, "ffffagel@yahoo.com" <ffffagel@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
Subject: Marywood Administration Tears Down Approved Free Speech Posters  
Body: Dear Marywood University Faculty Colleague ,ooooooooooooo.....

- (i) From: Frederick Fagal <ffffagal@yahoo.com>  
To: sbrower@marywood.edu, "ffffagal@yahoo.com" <ffffagal@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
Subject: Marywood Administration Tears Down Approved Free Speech Posters  
Body: Dear Marywood University Faculty Colleague ,ooooooooooooooo...  
  
 (ii) From: Fred Fagal <ffffagal@yahoo.com>  
To: ruthkosky@marywood.edu, "ffffagal@yahoo.com" <ffffagal@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
Subject: Marywood Administration Tears Down Approved Free Speech Posters  
Body: Dear Marywood University Faculty Colleague ,ooooooooooooooo...  
  
 (iii) From: Frederick Fagal <ffffagal@yahoo.com>  
To: vari@marywood.edu, "ffffagal@yahoo.com" <ffffagal@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
Subject: Marywood Administration Tears Down Approved Free Speech Posters  
Body: Dear Marywood University Faculty Colleague ,ooooooooooooooo...  
  
 (iv) From: Frederick Fagal <ffffagal@yahoo.com>  
To: chrisspeicher@marywood.edu, "ffffagal@yahoo.com" <ffffagal@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
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Body: Dear Marywood University Faculty Colleague ,ooooooooooooooo...  
  
 (v) From: Frederick Fagal <ffffagal@yahoo.com>  
To: swyeager@marywood.edu, "ffffagal@yahoo.com" <ffffagal@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
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 (vi) From: Frederick Fagal <ffffagal@yahoo.com>  
To: kturner@marywood.edu, "ffffagal@yahoo.com" <ffffagal@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
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Body: Dear Marywood University Faculty Colleague ,ooooooooooooooo...  
  
 (vii) From: Frederick Fagal <ffffagal@yahoo.com>  
To: seffring@marywood.edu, "ffffagal@yahoo.com" <ffffagal@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
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 (viii) From: Frederick Fagal <ffffagal@yahoo.com>  
To: renjillian@marywood.edu, "ffffagal@yahoo.com" <ffffagal@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
Subject: Marywood Administration Tears Down Approved Free Speech Posters  
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 (ix) From: Frederick Fagal <ffffagal@yahoo.com>  
To: asreyes@marywood.edu, "ffffagal@yahoo.com" <ffffagal@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
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Date: Fri, Jan 13, 2012 11:37 AM  
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Body: Dear Marywood University Faculty Colleague ,ooooooooooooooo...

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To: czhang@marywood.edu, "ffffagal@yahoo.com" <ffffagal@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
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4 From: Frederick Fagal <ffffagal@yahoo.com>  
To: sreggle@maryu.marywood.edu, "ffffagal@yahoo.com" <ffffagal@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
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To: swanchak@marywood.edu, "ffffagal@yahoo.com" <ffffagal@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
Subject: Marywood Administration Tears Down Approved Free Speech Posters  
Body: Dear Marywood University Faculty Colleague ,  
.....

4 From: Frederick Fagal <ffffagal@yahoo.com>  
To: cmihelich@maryu.marywood.edu, "ffffagal@yahoo.com" <ffffagal@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
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To: crpersing@marywood.edu, "ffffagal@yahoo.com" <ffffagal@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
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.....

4 From: Frederick Fagal <ffffagal@yahoo.com>  
To: swise@marywood.edu, "ffffagal@yahoo.com" <ffffagal@yahoo.com>  
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.....

4 From: Frederick Fagal <ffffagal@yahoo.com>  
To: mpierrigalva@marywood.edu, "ffffagal@yahoo.com" <ffffagal@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
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.....

4 From: Frederick Fagal <ffffagal@yahoo.com>  
To: parkerbell@marywood.edu, "ffffagal@yahoo.com" <ffffagal@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
Subject: Marywood Administration Tears Down Approved Free Speech Posters  
Body: Dear Marywood University Faculty Colleague ,  
.....

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6 From: Frederick Fagal <ffffagal@yahoo.com>  
To: easadlack@marywood.edu, "ffffagal@yahoo.com" <ffffagal@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
Subject: Marywood Administration Tears Down Approved Free Speech Posters  
Body: Dear Marywood University Faculty Colleague ,  
.....

7 From: Frederick Fagal <ffffagal@yahoo.com>  
To: jhtrudeau@marywood.edu, "ffffagal@yahoo.com" <ffffagal@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
Subject: Marywood Administration Tears Down Approved Free Speech Posters  
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8 From: Frederick Fagal <ffffagal@yahoo.com>  
To: mccusker@marywood.edu, "ffffagal@yahoo.com" <ffffagal@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
Subject: Marywood Administration Tears Down Approved Free Speech Posters  
Body: Dear Marywood University Faculty Colleague ,  
.....

9 From: Frederick Fagal <ffffagal@yahoo.com>  
To: japolizzl@marywood.edu, "ffffagal@yahoo.com" <ffffagal@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
Subject: Marywood Administration Tears Down Approved Free Speech Posters  
Body: Dear Marywood University Faculty Colleague ,  
.....

10 From: Frederick Fagal <ffffagal@yahoo.com>  
To: mazimmer@marywood.edu, "ffffagal@yahoo.com" <ffffagal@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
Subject: Marywood Administration Tears Down Approved Free Speech Posters  
Body: Dear Marywood University Faculty Colleague ,  
.....

11 From: Frederick Fagal <ffffagal@yahoo.com>  
To: saddlert@marywood.edu, "ffffagal@yahoo.com" <ffffagal@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
Subject: Marywood Administration Tears Down Approved Free Speech Posters  
Body: Dear Marywood University Faculty Colleague ,  
.....

12 From: Frederick Fagal <ffffagal@yahoo.com>  
To: jjzaydon@marywood.edu, "ffffagal@yahoo.com" <ffffagal@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
Subject: Marywood Administration Tears Down Approved Free Speech Posters  
Body: Dear Marywood University Faculty Colleague ,  
.....

13 From: Frederick Fagal <ffffagal@yahoo.com>  
To: partridge@marywood.edu, "ffffagal@yahoo.com" <ffffagal@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
Subject: Marywood Administration Tears Down Approved Free Speech Posters  
Body: Dear Marywood University Faculty Colleague ,  
.....

14 From: Frederick Fagal <ffffagal@yahoo.com>  
To: charlestruitt@marywood.edu, "ffffagal@yahoo.com" <ffffagal@yahoo.com>  
Date: Fri, Jan 13, 2012 11:37 AM  
Subject: Marywood Administration Tears Down Approved Free Speech Posters  
Body: Dear Marywood University Faculty Colleague ,  
.....

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929 views  
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by daplula 1,026 views 10:00

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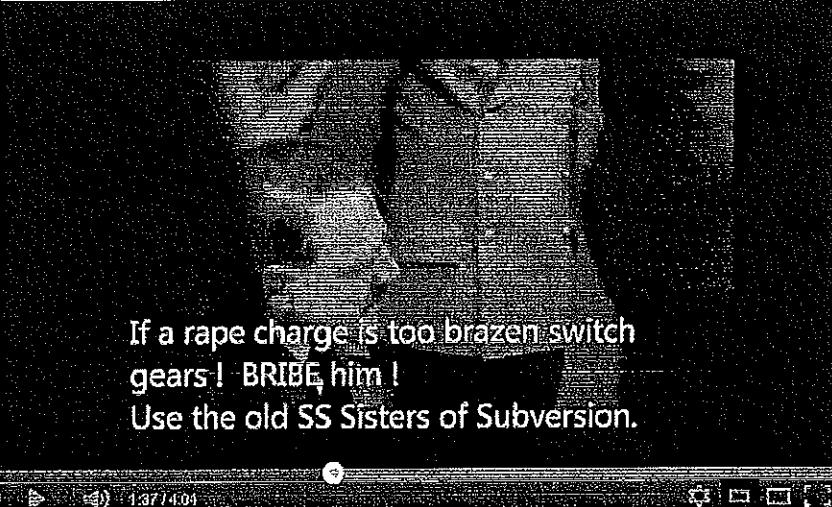
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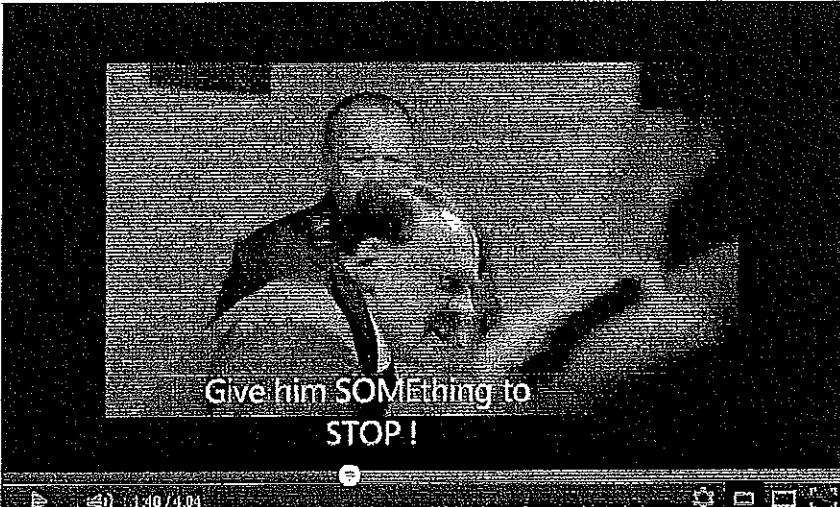
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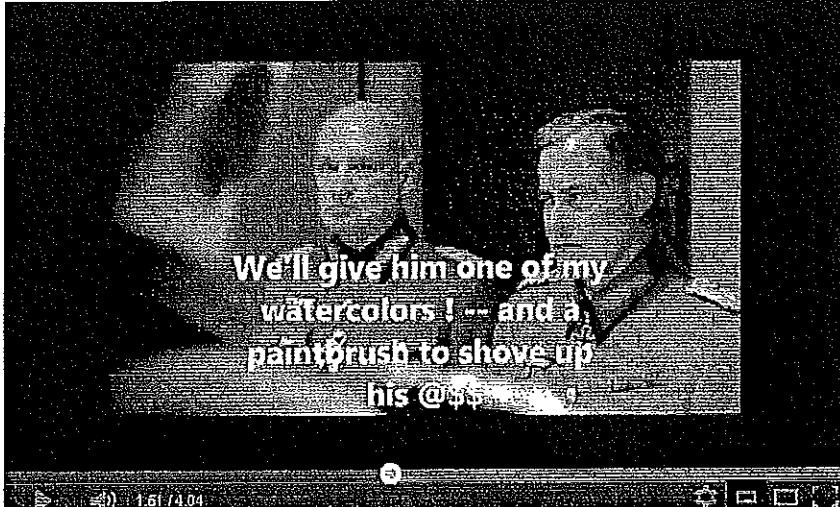
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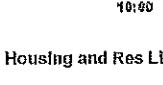
  
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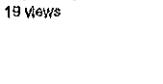
  
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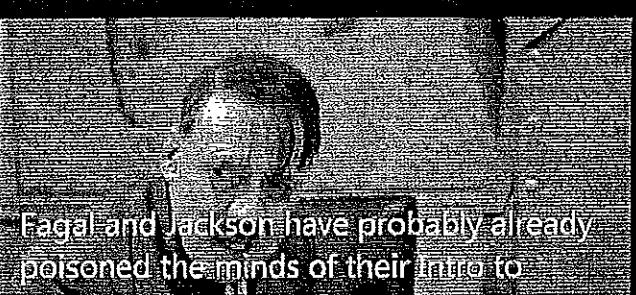
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Facial and Jackson have probably already poisoned the minds of their intro to Social Science students. But right there we must hold back the scummy tide of free speech and diversity in thought.

1:30 / 4:04

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At least we screwed the students! - We stopped his \$50 Attendance Prize Draw !

0:00 / 3:16

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Yes, that will keep the student crowd smaller FuhrMunley

0:42 / 3:16

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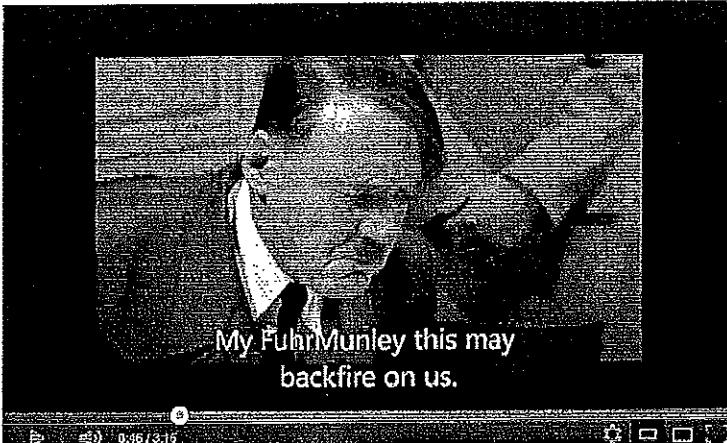
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 My Fuhr Munley this may backfire on us.

0:00/7:3:15

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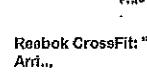
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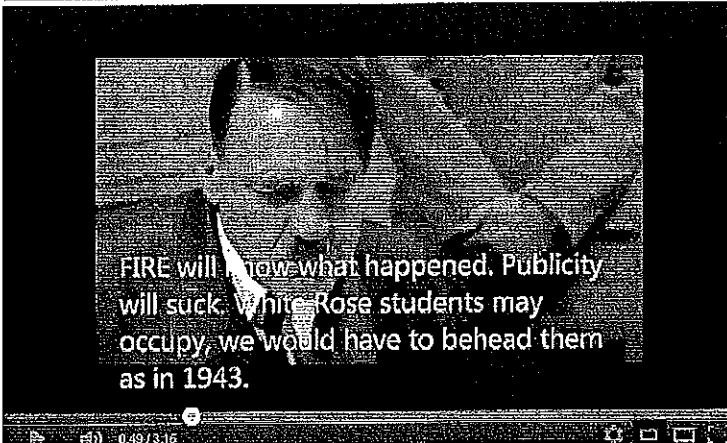
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**FIRE will know what happened. Publicity will stick. White Rose students may occupy, we would have to behead them as in 1943.**

0:49 / 3:16

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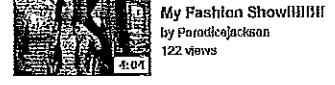
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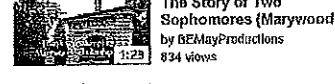
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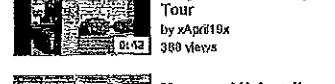
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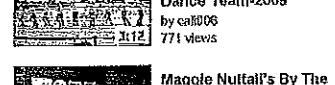
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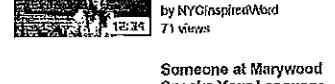
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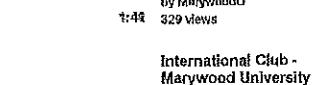
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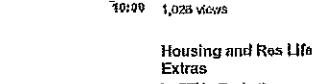
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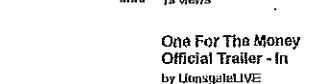
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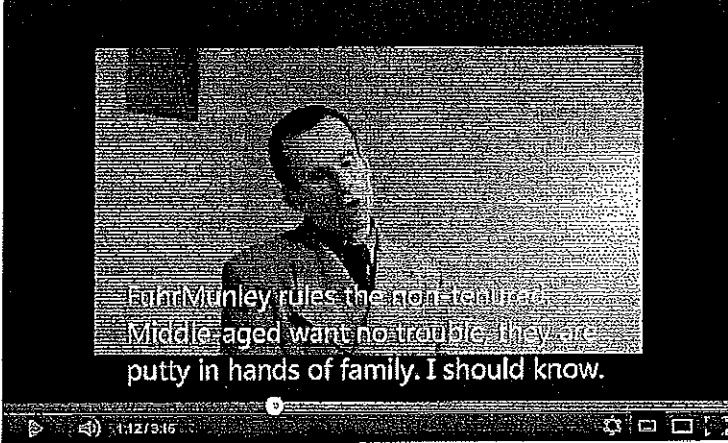
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 Middle-aged want no trouble. They are  
 putty in hands of family. I should know.
   
 1:12 / 3:45

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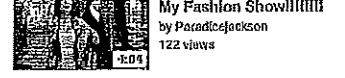
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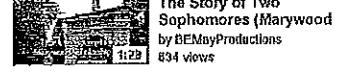
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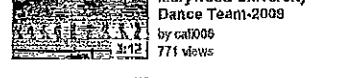

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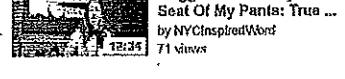

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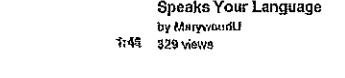

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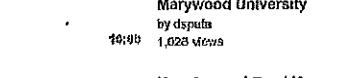

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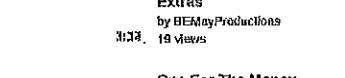

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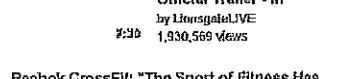

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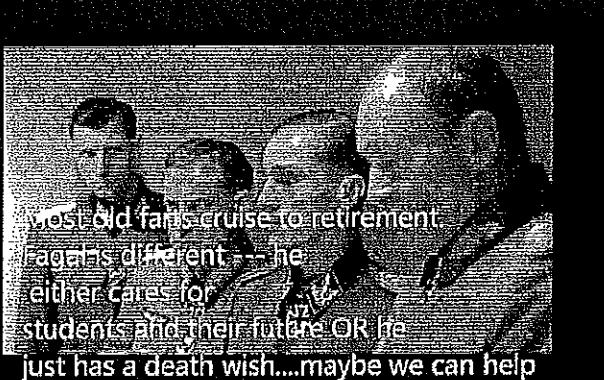
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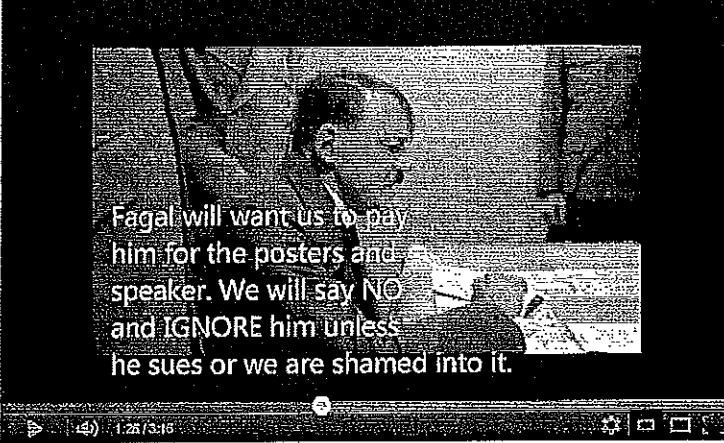
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 Fagal will want us to pay  
 him for the posters and  
 speaker. We will say NO  
 and IGNORE him unless  
 he sues or we are shamed into it.

▶ (4) 1:26 / 3:18

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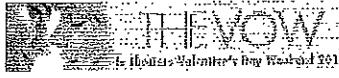
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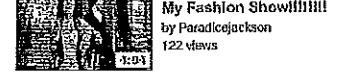
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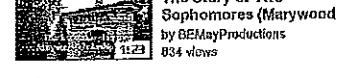
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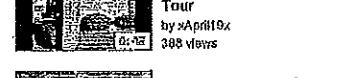
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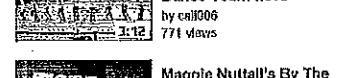
  
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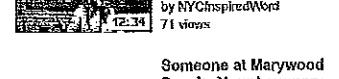
  
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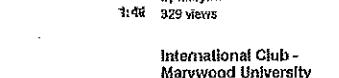
  
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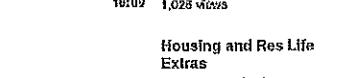
  
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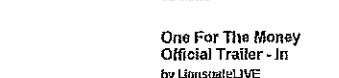
  
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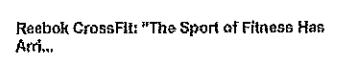
  
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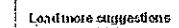
  
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 My girdle is tight and I need to go to the Ladies' RestRoom.  
 I will think of Fagel and FIRE

209:33:16

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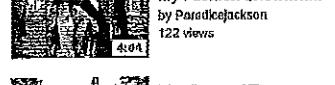
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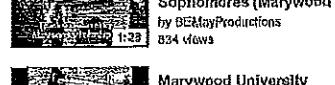
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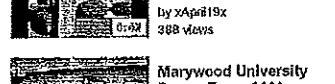
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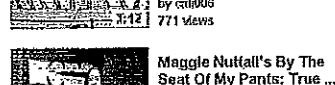
  
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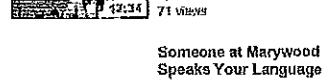
  
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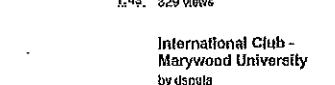
  
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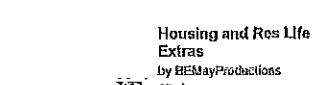
  
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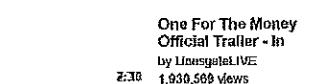
  
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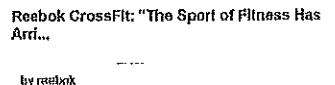
  
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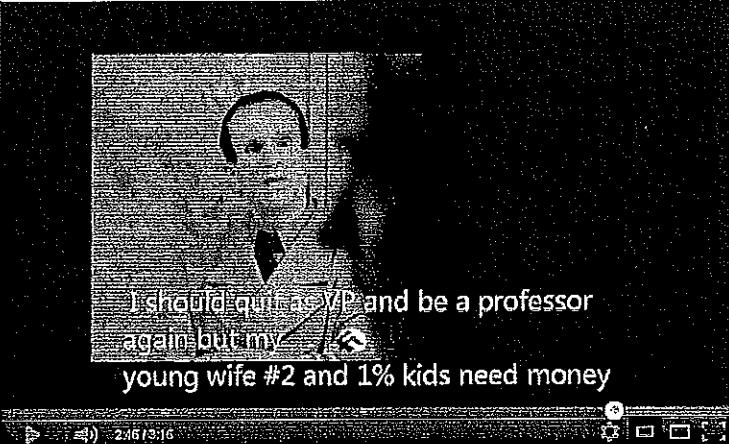
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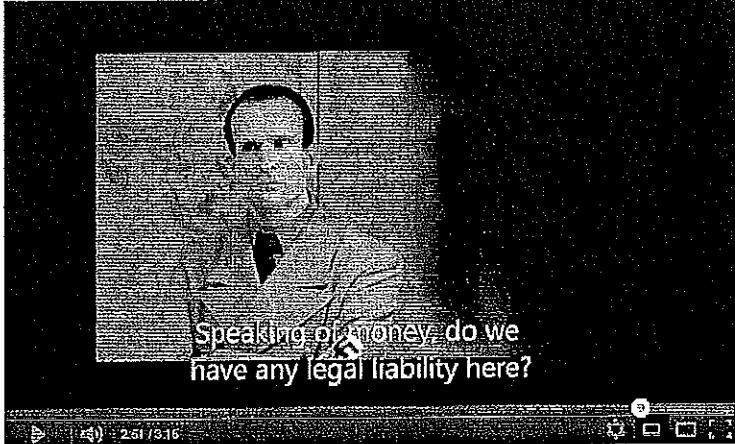
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**Speaking for money, do we have any legal liability here?**

2:51 / 3:15

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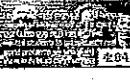
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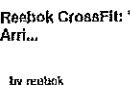
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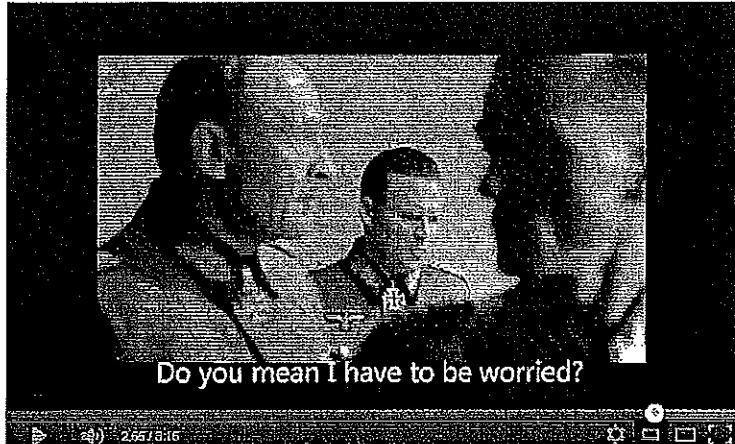
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Do you mean I have to be worried?

2:55 / 5:16

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